



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Kevin J. Wagoner, et al
Appl. No. : 09/283,120
Filed : March 31, 1999
For : CONTINUOUS ONLINE
AUCTION SYSTEM AND
METHOD
Examiner : Hani M. Kazimi
Group Art Unit : 3624

CERTIFICATE OF MAILING

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

December 8, 2005

(Date)

Ted M. Cannon
Ted M. Cannon, Reg. No. 55,036

AMENDMENT AFTER FILING OF APPEAL BRIEF UNDER 37 C.F.R. § 41.33(b)

**THIS AMENDMENT REWRITES ALLOWED DEPENDENT CLAIMS IN
INDEPENDENT FORM AND CANCELS ALL NON-ALLOWED CLAIMS**

Mail Stop AF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Claims 38-40, 53, and 54 are pending in this application. Claims 1-37 and 41-52 have been withdrawn. Claims 38-40 have been finally rejected. The Examiner has objected to Claims 53 and 54 but stated that dependent Claims 53 and 54 would be allowable if rewritten in independent form.

Pursuant to 37 C.F.R. § 41.33(b), Applicants submit the following Amendment. 37 C.F.R. § 41.33(b) states:

(b) Amendments filed on or after the date of filing a brief pursuant to § 41.37 may be admitted:

- (1) To cancel claims, where such cancellation does not affect the scope of any other pending claim in the proceeding, or
- (2) To rewrite dependent claims into independent form.

Appl. No. : **09/283,120**
Filed : **March 31, 1999**

The following Amendment complies with 37 C.F.R. § 41.33(b) and should be entered because it would merely: (1) cancel Claims 1-53 and (2) rewrite dependent Claims 53 and 54 into independent form as Claims 54-57.

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this paper.

Summary of Interview begins on page 5 of this paper.

Remarks/Arguments begin on page 6 of this paper.